

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 19, 2004.

Wesley J. Hause
Wesley J. Hause
Attorney for Applicant(s)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/740,072
Applicant : Michael L. Howard et al.
Title : AUDIO STATUS COMMUNICATION FROM AN
EMBEDDED DEVICE
Filed : December 18, 2003
TC/A.U. : (not yet assigned)
Examiner : (not yet assigned)
Docket No. : 2291.2.19.1
Customer No. : 21552

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Transmitted herewith is an Information Disclosure Statement disclosing information which has come to the attention of applicants and/or their attorneys and is being submitted so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56. In accordance with 37 C.F.R. § 1.97(b), the enclosed Statement is being filed within three (3) months of the filing date of the above-identified application or before the mailing date of a first Action on the merits.

Neither applicants nor their attorneys make any representation that any information disclosed herein may be "prior art" within the meaning of that term under 35 U.S.C. § 102 or § 103. Moreover, pursuant to 37 C.F.R. § 1.97, the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or as an admission that the

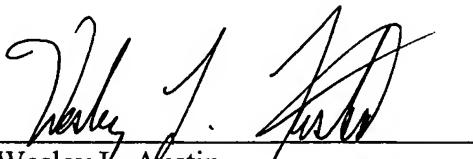
information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98, transmitted herewith are:

1. A completed copy of Form(s) PTO/SB/08a and/or PTO/SB08b "Information Disclosure Statement by Applicant" listing the patents, publications and other information being submitted for consideration; and
2. A legible copy of each patent, publication and other item of information in written form listed on the enclosed Form(s) PTO/SB/08a and PTO/SB/08b, except for copies of U.S. patents and published U.S. patent applications which are not required for applications filed after June 30, 2003.

As this application was filed after June 30, 2003, copies of the U.S. patents and published U.S. patent applications listed on the enclosed Form PTO/SB/08a are not required and, therefore, not included herewith.

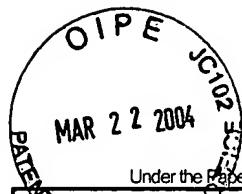
Respectfully submitted,



Wesley L. Austin
Reg. No. 42,273
Attorney for Applicant(s)

Date: March 19, 2004

MADSON & METCALF
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: 801/537-1700



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 Of 1

Complete if Known

Application Number	10/740,072
Filing Date	December 18, 2003
First Named Inventor	Michael L. Howard
Group Art Unit	
Examiner Name	
Attorney Docket Number	2291.2.19.1

U.S. PATENT DOCUMENTS

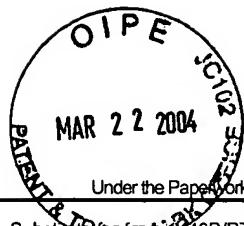
Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
U1	US-5,774,529		06/30/1998	Johannsen et al.	
U1	US-5,311,581		05/10/1994	Merriam et al.	
U2	US-5,729,596		03/17/1998	Reeder et al.	
U3	US-5,987,105		11/16/1999	Jenkins et al.	
U4	US-6,327,365-B1		12/04/2001	Kiger, II	
U5	US-5,997,170		12/07/1999	Brodbeck	
U6	US-6,211,782		04/03/2001	Sandelman et al.	
U7	US-6,160,477		12/12/2000	Sandelman et al.	
U8	US-6,147,601		11/14/2000	Sandelman et al.	

Examiner Signature	Date Considered
--------------------	-----------------

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁸Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and selection option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute Form PTO-1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 Of 1

Complete if Known

Application Number	10/740,072
Filing Date	December 18, 2003
First Named Inventor	Michael L. Howard
Group Art Unit	
Examiner Name	
Attorney Docket Number	2291.2.19.1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
A1	Austin Energy Web page, "Become a Power Partner with Austin Energy", pp. 1-2.		
A2	Austin Energy Web page, "Honeywell Superstat", pp.1-2.		
A3	Honeywell Web page, "Energy Management", p.1.		
A4	Honeywell Web page, "Remote Control for Your Home's Heating/Cooling System", pp.1-2.		
A5	Honeywell Web page, "Honeywell Home Controller Gateway", pp.1-2.		
A6	Honeywell Web page, "Your Home: Performance and Monitoring", pp.1-3.		
A7	Honeywell Web page, "Home Controller User Guide", Product Release Version 1.0.x, pp.1-39, Copyright 2000, Honeywell, Inc.		

Examiner Signature		Date Considered
--------------------	--	-----------------

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and selection option 2.